

## REMARKS

In response to the Notice of Non-Compliant Amendment dated February 4, 2004 Applicant has now noted that Claims 2-7, 15 and 17 are withdrawn (not canceled) from consideration, as being drawn to a non-elected group. Applicant's election was previously stated in Applicant's prior Response dated July 17, 2003 to the Restriction Requirement of April 18, 2003.

Claims 2-7, 15 and 17 are therefore designated in the listing of Claims as being withdrawn, not canceled, as originally noted in the Amendment filed January 20, 2004.

With respect to the substantive issues of the above noted Office Action of August 19, 2003, and the references cited therein, the Office Action has been carefully considered and, in view of the amendments herein to the claims and the following representations, reconsideration of the application in its present form is respectfully requested.

In view of the amendment herein of Claims 1, 9 and 12, it is respectfully submitted that the claims more particularly point out distinctly claim the method of the present invention, as also defined similarly in allowed Claim 16.

For example, amended Claim 1 describes a micro adjuster which laterally moves a paper punch die, wherein the micro adjuster includes a hollow micro adjuster element which

includes a separate retaining fastener at a distal end thereof. The retaining fastener attaches to the die, and is engaged by a wrench being inserted through an axial bore of the hollow body of the micro adjuster, to enable fine lateral adjustments of alignment between the paper to be punched and the die.

With respect to the rejection of Claims 1 and 8 under 35 USC 102(b) as being anticipated by US Patent No. 3,241,353 of Putelli, in view of the amendments herein to independent Claim 1, it is respectfully submitted that the rejection of these claims under 35 U.S.C. 102(b) as being unpatentable over Putelli '353 should now be withdrawn.

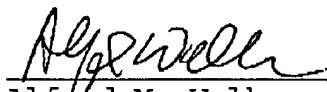
Putelli '353 has only a small hollow dimple in one end of the fasteners 24 or 38, not an axial bore extending all the way through a hollow fastener having a wrench extending through the bore to a retaining fastener at a distal end of the bore, as also recited in allowed Claim 16 herein.

Applicant submits that the application is in condition for allowance, which allowance is earnestly solicited.

Respectfully submitted,

Dated: May 4, 2004

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057.372	01/25/2002	Norton Spiel	SPIEL-MICRO	2028
4988	7590	02/04/2004	EXAMINER	
ALFRED M. WALKER 225 OLD COUNTRY ROAD MELVILLE, NY 11747-2712			PETERSON, KENNETH E	
			ART UNIT	PAPER NUMBER
			3724	

DATE MAILED: 02/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
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SN 10/057372

Paper No. 7

## Notice of Non-Compliant Amendment (37 CFR 1.121)

This amendment document filed on 01/20/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following omission(s) or provision is required. Only the section (1.121(b)) of the amendment document containing the omission or non-compliant provision must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.

## THE FOLLOWING CHECKED (X) ELEMENTS(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amend paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all claims (incl. withdrawn claims)
  - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: Claims 2-17 state to cancel, yet some of these claims are marked withdrawn. Please clarify.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officefiver.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is **not** extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(o)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

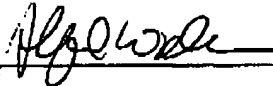
*Paul Wooten*  
Legal Instruments Examiner (LIE)

July 22, 2003 (rev.)

CERTIFICATE OF FAX TRANSMISSION

I certify that the above noted Amendment was transmitted by fax transmission to 703-872-9306 on the date indicated below.

May 4, 2004

  
ALFRED WALKER